

ENTERED

August 18, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ULTRA PREMIUM SERVICES, LLC d/b/a
TMK IPSCO, and

IPSCO TUBULARS INC. d/b/a TMK IPSCO,

Plaintiffs,

v.

OFS INTERNATIONAL, LLC,

OILFIELD SERVICES AND
TECHNOLOGIES, LLC,

THREADING AND PRECISION
MANUFACTURING, LLC, and

FERMATA TECHNOLOGIES, LLC,

Defendants.

CIVIL ACTION NO. 4:19-CV-2277
JURY

AGREED ORDER AND PERMANENT INJUNCTION

Before the Court is the Agreed Order and Permanent Injunction submitted by Plaintiffs Ultra Premium Services, L.L.C. and IPSCO Tubulars, Inc. (collectively “IPSCO”) and OFS International LLC, OFSI Holding, LLC, Oilfield Services & Technologies LLC, Threading and Precision Manufacturing LLC, and Fermata Technologies, LLC (collectively “OFSi”) (IPSCO and OFSi referred to collectively as the “Parties”).

The Court finds that the Agreed Order and Permanent Injunction should be, and hereby is,
GRANTED.

Warthog DC, Python SF, Python DC, Python TC, Reaper SF

THEREFORE, it is ORDERED that, upon entry of this Agreed Order and Permanent Injunction by the Court, OFSi shall not manufacture, market, sell, offer for sale, license or provide threading services for (a) the threaded connections known as Warthog DC, Python SF, Python DC,

Python TC, Reaper SF, or (b) any connections substantially or directly derived from said designs, or (c) IPSCO's Ultra DQX, Ultra QX, TORQ SFW, TORQ DQW, Ultra SF, and Ultra FJ connections, or (d) any connections substantially or directly derived from said designs; and shall not assist any other person or entity with respect to such activities;

Upon entry of this Agreed Order and Permanent Injunction by the Court, OFSi is further PERMANENTLY ENJOINED from manufacturing, marketing, selling, offering for sale, licensing or providing threading services for (a) the threaded connections known as Warthog DC, Python SF, Python DC, Python TC, and Reaper SF, or (b) any connections substantially or directly derived from said designs, or (c) for IPSCO's Ultra DQX, Ultra QX, TORQ SFW, TORQ DQW, Ultra SF, and Ultra FJ connections, or (d) any connections substantially or directly derived from said designs; and shall not assist any other person or entity with respect to such activities;

Nothing in this Agreed Order and Permanent Injunction shall prohibit or enjoin OFSi from manufacturing, marketing, selling, offering for sale, licensing, or providing threading services for any other threaded connections that are designed or developed based on publicly available information, including the API specifications, concepts generally known in the industry or on publicly available websites, or OFSi's independently developed designs.

BHT and BHT-S

The parties have agreed that OFSi shall have a grace period to manufacture, market, sell, offer for sale, license or provide threading services for the threaded connections known as BHT and BHT-S from the entry of this Agreed Order and Permanent Injunction to the earlier of (a) OFSi sells 15,000 tons of BHT and BHT-S or (b) December 1, 2020 (the "Grace Period").

THEREFORE, it is ORDERED that upon expiration of the Grace Period, OFSi shall not manufacture, market, sell, offer for sale, license or provide threading services for (a) threaded

connections known as BHT and BHT-S, or (b) for threaded connections known as BPN, or (c) any connections substantially or directly derived from IPSCO's nonpublic information concerning IPSCO's BPN connection; and shall not assist any other person or entity with respect to such activities;

Upon expiration of the Grace Period, OFSi is further PERMANENTLY ENJOINED from manufacturing, marketing, selling, offering for sale, licensing or providing threading services for (a) the threaded connections known as BHT and BHT-S, or (b) for threaded connections known as BPN, or (c) any connections substantially or directly derived from IPSCO's nonpublic information concerning IPSCO's BPN connection; and shall not assist any other person or entity with respect to such activities;

Nothing in this Agreed Order and Permanent Injunction shall prohibit or enjoin OFSi from manufacturing, marketing, selling, offering for sale, licensing, or providing threading services for any other threaded connections that are designed or developed based on publicly available information, including the API specifications, concepts generally known in the industry or on publicly available websites, or OFSi's independently developed designs.

Dismissal of Claims with Prejudice

The Parties shall bear their respective attorney's fees and court costs.

All of IPSCO's claims asserted in this lawsuit are hereby dismissed with prejudice. The Court shall retain jurisdiction to enforce the terms of this Agreed Order and Permanent Injunction.

Signed on August 18, 2020, at Houston, Texas.


Christina A. Bryan
United States Magistrate Judge

AGREED AS TO FORM AND ENTRY REQUESTED:

Dated: August 18, 2020

BAKER BOTTS L.L.P.

By: /s/ Tynan Buthod

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Dated: August 18, 2020

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